

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Alan Olson, on March 17, 2011 at 3:00 PM, in Room 317 Capitol

ROLL CALL

Members Present:

Sen. Alan Olson, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Shannon Augare (D)
Sen. Ron Erickson (D)
Sen. Bob Lake (R)
Sen. Lynda Moss (D)
Sen. Jason Priest (R)
Sen. Mitch Tropila (D)
Sen. Kendall Van Dyk (D)
Sen. Edward Walker (R)

Members Excused: Sen. Jeff Essmann (R)
Sen. Chas Vincent (R)

Members Absent: None

Staff Present: Sonja Nowakowski, Legislative Branch
Liane Taylor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

HEARING ON HB 479

Opening Statement by Sponsor:

00:00:47 Rep. Sterling Small (R), HD 41, opened the hearing on HB 479, Provide for microbial conversion for enhanced gas recovery.

Proponents' Testimony:

00:02:17 Representative Duane Ankney, House District 43 (HD 43)

00:03:32 Rich Southwick, Great Northern Properties (GNP)

EXHIBIT(ens60a01)

00:09:16 Don Allen, Western Environmental Trade Association (WETA)

Opponents' Testimony:

00:10:08 Anne Hedges, Montana Environmental Information Center (MEIC)

00:13:14 Janet McMillan, Northern Plains Resource Council (NPRC)

Informational Testimony:

00:16:54 Tom Richmond, Department of Natural Resources and Conservation (DNRC)

00:17:55 Ed Coleman, Bureau Chief, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

00:18:36 Sen. Erickson

00:19:11 Tom Richmond, DNRC

00:22:47 Sen. Erickson

00:23:36 Tom Richmond

00:24:52 Sen. Erickson

00:25:04 Sen. Augare

00:26:00 Anne Hedges, MEIC

00:26:57 Sen. Augare

00:27:17 Ed Coleman, DEQ

00:27:43 Sen. Augare

00:27:52 Ed Coleman

00:28:23 Chairman Olson

00:28:36 Ed Coleman

00:28:48 Chairman Olson

00:28:57 Ed Coleman

Closing by Sponsor:

00:29:05 Rep. Small

HEARING ON HB 550

Opening Statement by Sponsor:

00:30:20 Rep. Joe Read (R), HD 15, opened the hearing on HB 550, Establish state authority over EPA on regulation of greenhouse gases.

EXHIBIT(ens60a02)

Proponents' Testimony:

00:33:20 Ed Berry, self

EXHIBIT(ens60a03)

00:41:09 Patrick McCain, Conservative Tea Party (CTP)

00:42:43 Tim Ravndal, Montana 10th Amendment Center (MAC) and Lewis and Clark Conservative Tea Party (LCCTP)

00:43:46 Franklin Shook, self

Opponents' Testimony:

00:44:48 Dave Galt, Montana Petroleum Association (MPA)

00:48:27 Anne Hedges, Montana Environmental Information Center (MEIC)

00:54:32 Don Allen, Western Environmental Trade Association (WETA)

00:57:03 Janet Ellis, Montana Audubon (MA)

00:58:09 Ross Prosperi, Montana Conservation Voters (MCV)

Informational Testimony:

01:00:37 David Klemp, Department of Environmental Quality (DEQ)

Questions from Committee Members and Responses:

01:01:59 Sen. Jackson

01:02:32 David Klemp (DEQ)

Closing by Sponsor:

01:03:35 Rep. Read

HEARING ON HB 593

Opening Statement by Sponsor:

01:10:20 Rep. Duane Ankney (R), HD 43, opened the hearing on HB 593, Revising clean air act mercury rules.

Proponents' Testimony:

01:15:25 Dan Flynn, International Brotherhood of Electrical Workers (IBEW)

01:17:21 John Forkan, Montana State Association of Plumbers and Pipefitters (MSAPP)

01:19:11 Luke Nelson, self
 01:19:44 J.D. Lynch, Montana Building and Construction Trades Council (MBCTC)
 01:20:59 Keith Allen, International Brotherhood of Electrical Workers (IBEW)
 01:21:28 John Roeber, Boilermakers
 01:23:01 Chris Cavazos, Montana AFL-CIO

Opponents' Testimony:

01:23:58 Richard Oppen, Director, Department of Environmental Quality (DEQ)
 01:27:16 Anne Hedges, Montana Environmental Information Center (MEIC)

EXHIBIT(ens60a04)

01:33:25 Janet Ellis, Montana Audubon (MA)
 01:35:44 Janet McMillan, Northern Plains Resource Council (NPRC)
 01:39:26 Denise Roth-Barber, Montana Conservation Voters (MCV)

Informational Testimony: None

Questions from Committee Members and Responses:

01:42:17 Sen. Erickson
 01:42:30 Richard Oppen, DEQ
 01:43:31 David Klemp, DEQ
 01:45:32 Sen. Erickson
 01:46:08 David Klemp
 01:46:59 Sen. Erickson
 01:47:09 Rep. Ankney, HD 43
 01:47:22 Sen. Jackson
 01:48:01 Richard Oppen
 01:50:26 Sen. Walker
 01:50:52 Rep. Ankney
 01:51:11 Sen. Walker
 01:53:36 Rep. Ankney
 01:54:11 Sen. Tropila
 01:55:44 Rep. Ankney
 01:56:33 Sen. Tropila
 01:56:45 Rep. Ankney
 01:57:37 Sen. Tropila
 01:58:01 Anne Hedges, MEIC
 01:59:59 Sen. Lake
 02:00:18 Anne Hedges
 02:00:40 Sen. Lake
 02:02:32 Anne Hedges
 02:02:40 Sen. Lake
 02:04:15 Rep. Ankney
 02:04:21 Sen. Lake
 02:05:10 Rep. Ankney
 02:06:08 Sen. Jackson
 02:06:50 Richard Oppen
 02:07:21 Sen. Jackson
 02:08:24 Richard Oppen

02:09:04 Sen. Jackson
 02:09:18 Richard Opper
 02:09:50 Sen. Moss
 02:10:48 Anne Hedges
 02:11:29 Sen. Moss
 02:11:38 Anne Hedges
 02:12:18 Chairman Olson
 02:12:32 David Klemp
 02:15:27 Chairman Olson
 02:15:40 David Klemp

Closing by Sponsor:

02:16:45 Rep. Ankney

EXECUTIVE ACTION ON SB 391

02:21:01 Chairman Olson
 02:22:09 **Motion:** Sen. Jackson moved that **SB 391 DO PASS.**
 02:22:54 **Substitute Motion:** Sen. Tropila moved to **TABLE SB 391.**
 02:23:12 **Vote:** Motion carried 9-3 by voice vote with Senators Walker, Essmann and Vincent voting no and Senators Moss and Vincent voting by proxy.

EXECUTIVE ACTION ON SB 394

02:24:21 **Motion/Vote:** Chairman Olson moved to **TABLE SB 394.** Motion carried unanimously by voice vote with Senators Essmann and Vincent voting by proxy.

EXECUTIVE ACTION ON HB 479

02:25:20 **Motion:** Sen. Erickson Moved that **HB 479 BE CONCURRED IN.**

Discussion:

02:26:06 Sen. Erickson
 02:26:13 Sen. Lake
 02:26:30 Chairman Olson
 02:26:38 Sen. Jackson
 02:27:06 Sen. Erickson
 02:27:21 Sen. Tropila
 02:28:08 Sen. Jackson
 02:28:35 Chairman Olson
 02:30:24 Sen. Erickson

02:33:20 Sen. Walker

02:36:01 Sen. Moss

02:36:05 Sen. Lake

02:37:30 **Vote:** Motion carried 8-4 by roll call with Senators Erickson, Moss, Tropila and Van Dyk voting no and Senators Essmann and Vincent voting by proxy. Sen. Lake will carry the bill.

EXECUTIVE ACTION ON HB 550

02:37:56 **Motion/Vote:** Sen. Erickson moved to **TABLE HB 550**. Motion carried 11-1 by voice vote with Sen. Jackson voting no and Senators Essmann and Vincent voting by proxy.

ADJOURNMENT

02:39:04 Adjournment

Liane Taylor, Secretary

It

Additional Documents:

EXHIBIT([ens60aad.pdf](#))